

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
SEP 23 2013
SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES OF AMERICA

v..

MICHELLE LOUISE SPRAY

Case No. **MJ-13-0383-JTR**

I, the complainant in this case, state the following is true and correct to the best of my knowledge and belief.

This complaint is based on these facts:

On or about September 20, 2013, in the Eastern District of Washington, in Stevens County, **MICHELLE LOUISE SPRAY**, did knowingly and intentionally possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(ii)(II).

☒ Continued on the attached sheet.



Complainant's signature

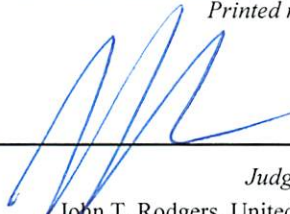
JAMES WITHROW, Homeland Security Investigations Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: September 23, 2013

City and state: Spokane, Washington



Judge's signature

John T. Rodgers, United States Magistrate Judge

Printed name and title

ATTACHMENT IN SUPPORT OF CRIMINAL COMPLAINT

United States v. Michelle Louise Spray, MJ-13-0383-JTR

I, James Withrow, a Special Agent with the Department of Homeland Security, United States Homeland Security Investigations (HSI), being first duly sworn on oath, depose and state as follows:

1. I am a Special Agent with the Department of Homeland Security, United States Homeland Security Investigations (HSI), known prior to March 2003 as the United States Customs Service (USCS), currently assigned to the HSI Office, Spokane, Washington. I have been a Special Agent since August 2003. I have been employed as a federal law enforcement officer since July 2000. I have a Bachelor's degree in Sociology from Eastern Washington University. I have completed both the United States Department of Treasury Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training Course at the Federal Law Enforcement Training Center. My experience as an HSI Special Agent has included the investigation of cases involving the smuggling of goods, contraband material, narcotics and bulk cash into the United States. I have received training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, and various other criminal laws and procedures. I investigate criminal violations relating to drug smuggling activity. I have received additional training in drug investigations, asset forfeiture and financial investigations provided by HSI, other federal law enforcement agencies, and the United States Attorney's Office. I have current Title 21 authority and am a full-time Task Force Agent

(TFA) assigned to the Drug Enforcement Administration (DEA) Resident Office (RO), Spokane, WA.

2. On September 20, 2013, at approximately 1230 hours, your Affiant and HSI Special Agent Rodney Weekes received a call from Boundary Port of Entry (POE) United States Customs and Border Protection (CBP) Port Director Rick Barthule. Officer Barthule stated that CBP had just seized approximately 75 kilograms of suspected cocaine located in a hidden compartment contained in a vehicle during an outbound inspection. Officer Barthule requested HSI support for the interview of the driver of the vehicle, who was later identified as MICHELLE LOUISE SPRAY.

3. At approximately 1600 hours on September 20, 2013, your Affiant and SA Weekes arrived at the Boundary Port of Entry (POE). Your Affiant met with Officer Barthule, who provided your Affiant with the following information: At approximately 1130 hours on September 20, 2013, CBP at the Boundary Port of Entry (POE) encountered a silver 2000 Chevrolet Impala (herein referred to as the SUBJECT VEHICLE), with British Columbia (BC) license plate 250 TNE, during an outbound inspection. CBP, pursuant to its border search authority, used a drug detection K-9 controlled by United States Border Patrol (USBP) Agent Mike Gregg. Officer Barthule stated that the K-9 alerted to the front and rear areas of the vehicle, detecting the presence of a controlled substance. Under border search authority, CBP officers and USBP agents searched the vehicle and located approximately 75 kilograms of suspected cocaine concealed in a hidden compartment between the back seat and the trunk of the SUBJECT VEHICLE.

4. During the search of the SUBJECT VEHICLE, approximately 75 packages of a white powdery substance were located and found to be individually wrapped in vacuum sealed clear plastic bags stacked in the hidden compartment, located between the back seat and the trunk of the SUBJECT VEHICLE. CBP later used a drug field test kit on a small sample of one of the packages. The field test returned positive results for the presence of cocaine.

5. CBP Officer Barthule stated that the driver of the vehicle was identified as MICHELLE LOUISE SPRAY, and was the sole occupant of the vehicle at the time it was encountered by CBP at the Boundary POE. SPRAY was identified by her BC, Canada driver's license (#3461689), showing a Trail, BC, Canada address, and her Canadian Passport (#QI838845). Both documents displayed the same photograph of SPRAY and the same date of birth. Officer Barthule also stated that SPRAY was the listed registered owner of the SUBJECT VEHICLE.

6. CBP Officer Barthule provided information regarding SPRAY's previous entries into the United States. According to international crossing data identified in the CBP Treasury Enforcement Communication System (TECS), SPRAY has entered the United States from BC, Canada at the Boundary POE driving the SUBJECT VEHICLE on June 1, 2013, July 14, 2013, August 8, 2013, August 26, 2013, and September 15, 2013.

7. Based on the forgoing, your Affiant states there is probably cause to believe that on or about September 20, 2013, in the Eastern District of Washington, in Stevens County, MICHELLE LOUISE SPRAY, did knowingly and intentionally possess with intent to distribute 5 kilograms or more of a mixture or substance containing

a detectable amount of cocaine, a Schedule II controlled substance, all in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(ii)(II).



James Withrow
Special Agent, Homeland Security Investigations

Complaint and affidavit sworn to before me and subscribed in my presence,
September 23, 2013.



John T. Rodgers
United States Magistrate Judge